

Panaji, 1st April, 2004 (Chaitra 12, 1926)

SERIES I No. 1

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There are five Extraordinary issues to the Official Gazette Series I No. 52 dated 25-3-2004 as follows:-

- 1) Extraordinary dated 26-3-2004 from pages 1873 to 1906 regarding Notification from Department of Elections.
- 2) Extraordinary (No. 2) dated 30-3-2004 from pages 1907 to 1908 regarding Notifications from Department of Finance (Rev. & Exp.) Division.
- 3) Extraordinary (No. 3) dated 30-3-2004 from pages 1909 to 1912 regarding Notifications from Department of Finance (Rev. & Exp.) Division.
- 4) Extraordinary (No. 4) dated 31-3-2004 from pages 1913 to 1914 regarding Notification from Department of Home (General Division).
- 5) Extraordinary (No. 5) dated 31-3-2004 from pages 1915 to 1916 regarding Notifications from Department of Urban Development (Dte. of Mun. Admn.).

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/3/2003-LA

The Election Laws (Amendment) Act, 2003 (Central Act No. 24 of 2003), which has been passed by the Parliament and assented to by the President of India on 22-3-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 24-3-2003, is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE ELECTION LAWS (AMENDMENT)

ACT, 2003

AN

ACT

further to amend the Representation of the People Act, 1951 and the Indian Penal Code.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title and commencement.*— (1) This Act may be called the Election Laws (Amendment) Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

Amendment to the Representation of the People Act, 1951

2. *Amendment of section 59.*— In the Representation of the People Act, 1951 (hereafter in this Chapter referred to as the principal Act), in section 59, for the words “and no votes shall be received by proxy”, the words “and, save as expressly provided by this Act, no votes shall be received by proxy” shall be substituted. 43 of 1951.

3. *Substitution of new section for section 60.*— For section 60 of the principal Act, the following section shall be substituted, namely:—

“60. *Special procedure for voting by certain classes of persons.*— Without prejudice to the generality of the provisions contained in section 59, provision may be made, by rules made under this Act, for enabling—

(a) any of the persons as is referred to in clause (a) or clause

(b) of sub-section (8) of section 20 of the Representation of the People Act, 1950 (hereafter in this section referred to as the 1950-Act) to give his vote either in person or by postal ballot or by proxy, and not in any other manner, at an election in a constituency where poll is taken;

(b) any of the following persons to give his vote either in person or by postal ballot, and not in any other manner, at an election in a constituency where a poll is taken, namely:—

(i) any person as is referred to in clause (c) or clause (d) of sub-section (8) of section 20 of the 1950-Act;

(ii) the wife of any such person to whom the provisions of sub-section (3) of section 20 of the 1950-Act apply and such wife being ordinarily residing with that person in terms of sub-section (6) of that section;

(c) any person belonging to a class of persons notified by the Election Commission in consultation with the Government to give his vote by postal ballot and not in any other manner, at an election in a constituency where a poll is taken subject to the fulfilment of such requirements as may be specified in those rules;

(d) any person subjected to preventive detention under any law for the time being in force to give his vote by postal ballot, and not in any other manner, at an election in a constituency where a poll is taken, subject to the fulfilment of such requirements as may be specified in those rules."

4. *Amendment of section 62.*— In section 62 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely:—

"(6) Nothing contained in sub-sections (3) and (4) shall apply to a person who has been authorised to vote as proxy for an elector under this Act in so far as he votes as a proxy for such elector."

CHAPTER III

Amendment to the Indian Penal Code

5. *Amendment of section 171D.*— In section 171D of the Indian Penal Code, the following proviso shall be inserted at the end, namely:—

"Provided that nothing in this section shall apply to a person who has been authorised to vote as proxy for an elector under any law for the time being in force in so far as he votes as a proxy for such elector."

Notification

10/3/2003-LA

The Banking Service Commission (Repeal) Act, 2003 (Central Act No. 29 of 2003), which has been passed by the Parliament and assented to by the President of India on 30-4-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 1-5-2003, is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE BANKING SERVICE COMMISSION (REPEAL) ACT, 2003

AN

ACT

to repeal the Banking Service Commission Act, 1984.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Banking Service Commission (Repeal) Act, 2003.

2. *Repeal of Act 44 of 1984.*— The Banking Service Commission Act, 1984 is hereby repealed.

Department of Personnel

Notification

1/5/84-PER (Pt. file II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'B', Non-Ministerial, Non-Gazetted post in the Goa College of Engineering, Government of Goa, namely:—

1. Short title, application and commencement.—

(1) These rules may be called the Government of Goa, Goa College of Engineering, Group 'B', Non-Ministerial, Non-Gazetted post, Recruitment Rules, 2004.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Number, classification and scale of pay.— The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts in column (2) of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications.— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. Disqualification.— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in consultation with the Goa Public Service Commission vide their letter No.COM/II/13/18(2)/03 dated 17-2-2004.

By order and in the name of the Governor of Goa.

D. M. Borkar, Officer on Special Duty (PETS).

Panaji, 29th March, 2004.

SCHEDULE

Name/ Designation of post	No. of posts	Classifi- cation	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added year of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifica- tions required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment, whether by direct or by promotion or by deputation/ transfer/ contract and percent- age of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/ transfer, grades from which promotion/ deputation/ transfer is to be made	If a D. P. C. exists, what is its compo- sition	Circum- stances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Senior Asstt. Librar- -ian	2 (2004) Subject to varia- -tion de- -pen- -dent on work- -load.	Group 'B', Non- -Ministe- -rial, Non- -Gaze- -tted.	Rs. 6500- -200- -10500.	Selection.	Not exceeding 40 years (Rela- xable for Gov- ernment ser- vants upto 5 years in accor- dance with the instructions or orders issued by the Govern- ment).	N. A.	<i>Essential:</i> (1) Master's Degree from recognised University. (2) Degree in Li- brary Science from a recognised Institution or equivalent. (3) Minimum five years expe- -rience. (4) Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi.	Age: No. Edu. Qls: Yes.	1 year.	By promotion, failing which, by direct re- -cruitment.	Promotion to Assistant Librarian of Goa College of Engineering with 8 years regular service in the grade.	Group 'B' D.P.C. consisting of:— 1. Chairman/ /Member, Goa Public Service Commission - Chairman. 2. Chief Se- cretary or his nomi- -nee - - Member. 3. Adminis- trative Se- cretary/ /Head of Depart- -ment - - Mem- -ber. (for promotion and con- firmation).	As required under the Goa Public Service Commission (Exemption from Consul- tation) Re- gulations, 1988. Consul- tation with the Goa Public Service Commission is necessary for making direct recruitment, promotion, confirmation and amending/ /relaxing any of the provisions of these rules.